

## **APPENDIX C**

# **ALUC CRITERIA AND GUIDELINES FOR REVIEW OF NEW AIRPORTS AND HELIPORTS**

## CRITERIA AND GUIDELINES FOR REVIEW OF PROPOSALS FOR THE CONSTRUCTION OF NEW AIRPORTS AND HELIPORTS PURSUANT TO PUC SECTION 21661.5

### INTRODUCTION

Under Public Utilities Code section 21661.5, the Airport Land Use Commission has responsibility to review construction plans for any new airport or heliport, and to act upon such plans in accord with the Commission's general statutory authority. That authority includes land use planning of areas surrounding airports, ". . .to assure safety of air navigation and the promotion of air commerce." (PUC section 21674) It encompasses the study of factors relating to airport operations which impact upon the surrounding lands. These factors include safety, noise, and restrictions relating to the height of buildings near airports. The Commission must formulate a comprehensive land use plan which will permit the orderly growth of the airport, and which will "safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general." (PUC section 21675)

In keeping with the purpose and responsibility of the ALUC as outlined in these statutes, the following are criteria and guidelines which the Commission will apply in exercising its responsibilities under section 21661.5 to review proposals for new airports and heliports. It is not intended that a proposal must satisfy each criterion and guideline in order to receive a favorable recommendation from the commission. Nor does a generally adverse determination with respect to the various criteria and guidelines necessarily preclude a favorable recommendation for the proposal. Considerations of overwhelming public necessity and benefit may outweigh negative findings as to the various criteria and guidelines. In that instance, the Commission's formal action will discuss such considerations of public necessity and benefit, and will also discuss appropriate measures or alternatives which may serve to mitigate potentially adverse impacts perceived by the Commission through application of its criteria and guidelines.

### PROCEDURES FOR PROPOSED CONSTRUCTION OF NEW AIRPORTS OR HELIPORTS

1. ALUC staff makes available to the local authority (San Jose Airport Commission or Santa Clara County Transportation Agency) and governmental unit (cities or the County) a copy of the evaluation criteria and guidelines.

2. The local authority and/or governmental unit studies a proposed airport or heliport and makes informal referral to ALUC staff at the point plans are sufficiently concrete to make an evaluation. The referral should contain enough information to ascertain the degree of compatibility of the proposal with the evaluation criteria and guidelines.
3. ALUC staff comments (evaluating plans in terms the of evaluation criteria and guidelines) are forwarded to the local authority and/or governmental unit.
4. Governmental unit decides in favor of airport or heliport proposal.
5. Airport or heliport proposal is formally referred to ALUC for public hearing.
6. The ALUC acts in accord with the requirements of State Law.

#### CRITERIA FOR EVALUATING PROPOSED NEW AIRPORTS

The following criteria for evaluating proposals for new airports shall be considered by the ALUC along with additional criteria that may be applicable on a site by site basis:

1. Planning: The new airport's existence should by demonstrated to be consistent with city, county, and regional plans.
2. Future Land Use Compatibility: With respect to new airports owned by public agencies, measures necessary to assure permanent land use compatibility around the airport should by included in an airport development plan along with the means of implementation.
3. Impact on Immediate Area: Special attention should by given to the social, economic and environmental impact on people living in the immediate area of the proposed airport.
4. Aeronautical Adequacy: Proposals for new airports should have a favorable response by the FAA or other appropriate federal agency regarding the airspace capacity.
5. Noise: New airposts should avoid conflicts with existing or planned land uses. ALUC noise policies, or more restrictive State or Federal regulations that may supersede them, shall be adhered to as criteria for evaluating the degree of noise conflict. The airport development should also not conflict with city or county noise ordinances.

6. Safety: New airports should avoid conflicts with existing or planned land uses which will result in an above normal danger to human safety. ALUC safety policies, or more restrictive State or Federal regulations that may supersede them, shall be utilized to evaluate accident probability and degree of land use conflicts with safety.

THE FOLLOWING GUIDELINES MAY BE CONSIDERED BY THE ALUC:

1. Air and Water Pollution: The new airport proposal should be reviewed for potential air and water pollution.
2. Natural Hazard Areas: Special care should be taken in evaluating plans intending to place an airport in natural hazard areas characterized by substantial seismic risk, frequent floods, irregular topography, or unstable soils.
3. Environmentally Sensitive Areas: The new airport should not be located upon land or water within any area set aside by Federal, State or local governmental agency for use as a park, recreational area, wildlife refuge, or natural area. Adverse impact on open space should be kept to a minimum.
4. Distinctive Features: The proposed airport should have minimal adverse impact on distinctive social, cultural, historic, archaeological, scenic and aesthetic features. Every effort should be made to avoid destroying major irreplaceable features.
5. Wildlife: New airports should minimize the adverse impact for wildlife. In particular, danger to rare or endangered wildlife species, their habitat, and/or their food supply must be avoided.
6. Infrastructure: New airports should provide for minimal disruption of existing or planned utility and transportation networks.

## CRITERIA FOR EVALUATING PROPOSED NEW HELIPORTS

The following criteria for evaluating proposals for new heliports shall be considered by the ALUC along with any additional criteria that may be appropriate:

1. Planning: The new heliport's existence should be demonstrated consistent with city or county general plans.
2. Flight Path: There should be a clear delineation of the proposed helicopter flight path with a guarantee that it will not depart from the path except under extreme conditions clearly stated. (Comment: A minimum of two approach/departure routes at least 90° apart should be established if more than one helicopter will visit the site at the same time.
3. Number of Flights: The expected number of flights per year should be stated, as should a breakdown of the number of flights per month, unless the number of flights per month will all be the same. (Comment: Night operations should satisfy Caltrans lighting criteria and receive a special night authorization.)
4. Aeronautical Adequacy: Proposals for new heliports should have a favorable response by the FAA or other appropriate federal agency regarding the airspace capacity.
5. Noise: The proposed heliport should satisfy noise standards as presented in the attached Heliport Noise Standards. (Comment: Noise impacts should be determined on the basis of the peak month in terms of number of flights. Night operations may be prohibited. Trial takeoffs and landings from Heliport site may be required prior to ALUC action so as to better ascertain the impact.)
6. Safety: The heliport and flight path should satisfy safety standards as presented in the attached Heliport Safety Area Standards. (Comment: The flight path should be evaluated to determine whether there are high density uses or uses of a high sensitivity (for example, a school) underlying the helicopter's path.)

### THE FOLLOWING GUIDELINES MAY BE CONSIDERED BY THE ALUC:

1. Environmental Impact: There should be a clear presentation of the amount of dust, rotor turbulence, pollution, and other potential environmental impacts generated by the helicopters.

2. Benefit: The establishment of a permanent heliport, where the land use within 4,000 feet is primarily zoned residential, should not be recommended for approval except where there is a clear and significant public benefit (i.e. emergency heliport at hospital). (Comment: Determine the heliport's exact function. Determine the characteristics of the helicopter necessary to perform this service. Assess the benefit.)
3. Comparison to Alternatives: The additional benefits associated with the heliport, in comparison to the benefits of alternatives, should be sufficient to offset any relative reduction in negative environmental, social, and economic impacts upon the surrounding area associated with the alternatives.
4. Community Awareness: There should be solid evidence that the community surrounding the heliport site (within approximately 3,000 feet ) has been informed, with sufficient notice, of the proposal and its potential impact upon the residents. (Comment: Persons living in residential areas most likely to be affected by the helicopter noise should be notified of trial flights so as to personally ascertain the impact.)

### HELIPORT NOISE STANDARDS

1. Community Noise Equivalent Level (CNEL): No residential structures may be located within the 65 dB CNEL noise impact boundary to be generated when the heliport reaches full-scale operation.

Interior annual CNEL with windows closed, attributable to helicopters operating from the heliport, shall not exceed a CNEL of 45 dB in any habitable room of a residential structure. New residential structures to be located within an annual CNEL contour of 60 dB require an acoustical analysis showing that the structure has been designed to limit intruding noise to the prescribed allowable levels.

2. Maximum "A" Weighted Noise Level: The maximum noise level at the nearest residentially zoned area shall not exceed 80 dBA by reason of the heliport.